

INSTRUCTIONS ON HOW TO REVIEW A FILE OR TO OBTAIN COPIES OF A HEARING TAPE AND/OR CD WITH THE LAS VEGAS IMMIGRATION COURT

Requests to review a file, hearing tape(s) or request for a copy of a CD can be made in person, writing, or e-mail as long as **ONE** of the following requirements are met:

- You are the **respondent**
- You are the **attorney/representative** for the respondent with an EOIR-28 on file
-OR-
- You have the **written permission** of the respondent to review the record

You may pick up the ROP Review Form at the front window of the court, or you may download it from the Las Vegas Immigration Court's website at the following URL: <http://www.justice.gov/eoir/sibpages/lvg/ROPReviewForm.pdf>

1. RESPONDENTS/ATTORNEYS PHYSICALLY UNABLE TO COME TO COURT

Respondents or attorneys physically located outside Las Vegas, the State of Nevada, or if you are unable to come to the court, will be required to submit to the court a self-addressed stamped envelope in order for the court to send copies of documents and/or hearing tapes/CDs. This is pursuant to the Immigration Court Practice Manual, Chapter 3.1(f).

Please indicate this on question #4 on the Record of Proceeding Review Form.

2. SUBMITTING YOUR REQUEST BY E-MAIL

If you would like to set up an appointment to review a file or schedule a date to listen to tape(s) you can send your request to our e-mail box at: LVG.ROPReview@usdoj.gov

For requests, please ensure your e-mail contains:

- The File Number (A#)
- Name of the Respondent
- Type of Request (ROP Review or copies of hearing tapes/CDs)

E-mail requests missing the above information cannot be filled. To help expedite the process you may fill out the Record of Proceeding Review Form, scan it and send it to the court as an attachment to the e-mail.

3. SUBMITTING YOUR REQUEST BY STANDARD MAIL/COURIER

You may also send your request by mail/courier. Please submit your ROP Review Form to the following address:

Attention: Tape/CD Duplication Unit
Las Vegas Immigration Court
3365 Pepper Lane, Suite 200
Las Vegas, Nevada 89120

4. DIGITALLY RECORDED HEARINGS (DAR)

If the proceedings were recorded digitally, the Court will provide you with a copy of the CD, and you will be able to listen to it on any computer. No special equipment or software is needed. Please note that most hearings held after September 2008 will generally be digitally recorded.

5. HEARINGS RECORDED ON TAPES

If the proceedings were recorded on tape, the requestor **must** provide us with the same number of blank cassettes tapes before the request can be filled. Tapes should be 90 minutes in length and can be mailed or personally dropped off at the court along with your completed review form. If we receive more tapes from you than what is contained in the file, we will return the extra tapes to you.

Please note that court proceedings have been recorded on a four-track sound system, so unless the same type of equipment is used to review them, the sound will be inaudible when listening to the tapes. You may also request an appointment so that you listen to the tapes using the court's tape player.

6. PROCESSING TIMES FOR ROP REVIEW AND HEARING TAPES/CD REQUESTS

Court staff will strive to reply to your e-mail request **WITHIN TWO BUSINESS DAYS**. Files and tapes **ARE NOT** available for review the **DAY OF THE HEARING**.

Same day requests to review tapes or files will be handled on an individual basis based on staff resources and space availability in the tape/file review area. Therefore, we ask that you utilize the e-mail box for your requests to help minimize any conflicts.

7. REQUESTING COPIES OF DOCUMENTS

If you would like to receive copies of documents from a file, please utilize our email box to submit your request. Please ensure your email contains the file number and date these documents are needed by. Please note that most **closed cases** that have been completed at least six months prior to today's date are generally located at our Federal Records Center (FRC). These files require a waiting period of **at least 7-10 business days**.

Please note that court staff will only be able to provide the following three documents from a file:

1. Notice to Appear (NTA) or Order to Show Cause (OSC)
2. Additional Charges
3. Immigration Judge Final Order

Exceptions to this document policy may be considered on a case-by-case basis, and in only special circumstances. Please direct these special requests to: Rachel Newsome, Court Administrator. Approval will be required by the Court Administrator prior to court staff being able to honor your request.

Should you require any other documents from the file that are not approved by the Court Administrator; you will need to file a written request under the Freedom of Information Act (FOIA) with the Office of General Counsel at the following address:

Office of the General Counsel
Attn: FOIA Service Center
Executive Office for Immigration Review
5107 Leesburg Pike, Suite 2600
Falls Church, VA 22041

For more detailed information on filing a FOIA request, please visit:

<http://www.usdoj.gov/eoir/efoia/foiafact.htm>

8. HOURS

Please note that the hours allocated for **reviewing files and listening to tapes** are from: Monday to Friday, from 8:00 am to 3:00 pm.

9. APPOINTMENTS

To help expedite your request, please bring in your completed Record of Proceeding Review Form to the front counter when you arrive for your appointment. This form must be filled out for requests to review a file, listen to tapes or receive a copy of the digitally recorded proceedings.

Once a date and time has been scheduled we ask that you promptly arrive at your scheduled appointment. Any person arriving more than 15 minutes late will need to reschedule their appointment. Exceptions will be made on a case by case basis based on staff resources and accommodations.

We will schedule an appropriate time and date for you to review the file. At which point, you will have **UP TO 5 BUSINESS DAYS** to respond to the request. If we receive no response, then the Court shall consider your request vacated, and you will have to place another request to review the file.

For Attorneys: Attorneys may send in someone on their behalf, but the representative should have an authorization letter in hand signed by the attorney of record. The letter will be kept by the court and made part of the record of proceeding. If the attorney elects to have written permission from the respondent to review the ROP in lieu of entering an EOIR-28, then please bring the letter to your appointment.

For Respondents: Respondents should bring a picture identification which will be verified by court staff upon request to review file or receive hearing tapes and/or CDs.